

Docket and File

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Erickson Productions, Inc.

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

12 Civ. 1693

(PGG)

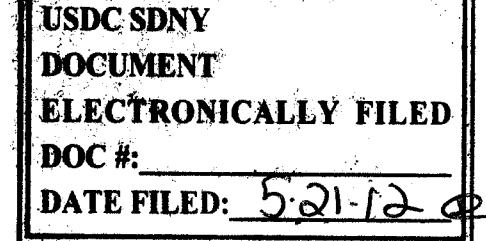
- against -

Atherton Trust-A Delaware Statutory Trust/

Kraig R. Kast

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

AFFIRMATION IN  
SUPPORT OF MOTION



I, Kraig R. Kast, affirm under penalty of perjury that:

1. I, Kraig R. Kast, am the plaintiff/defendant in the above entitled action,  
and respectfully move this Court to issue an order Change of Venue under 28 U.S.C. 1404 (a).

(state what you want the Judge to order)

2. The reason why I am entitled to the relief I seek is the following (state all your reasons using additional paragraphs and sheets of paper as necessary): Both Defendant and Plaintiff are residents of and do business in the state of California. Additional justification for this motion is contained in the attached.

WHEREFORE, I respectfully request that the Court grant this motion, as well as such other and further relief as may be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Valley Center, CA  
May 16, 2012  
(city) (day) (year)

Signature \_\_\_\_\_  
Address 12155 Vista Terraza Court  
Valley Center, CA 92082  
Telephone Number 760-751-7027  
Fax Number (if you have one) \_\_\_\_\_

**TO PLAINTIFF AND ITS ATTORNEY OF RECORD:**

**PLEASE TAKE NOTICE THAT** *pro se* defendants Atherton Trust - A Delaware Statutory Trust and Kraig Kast, former Managing Trustee of Atherton Trust - A Delaware Statutory Trust will move this Court for an order to dismiss for lack of personal jurisdiction pursuant to F.R.C.P. Rule 12(b) (2) and improper venue pursuant to F.R.C.P. Rules 12(b) (3). In the alternative, these *pro se* defendants will seek an order of this Court to transfer this matter to the Central District of California pursuant to 28 U.S.C. 1404 (a).

This motion is based upon this Notice of Motion, the Memorandum of Points and authorities and supporting declarations filed and served herewith, all matters to which the Court can take judicial notice, and upon the papers, records and pleadings file herein.

Dated May 16, 2012

By:

Atherton Trust-A Delaware Statutory Trust,  
*pro se* defendant  
Post Office Box 2637  
Rancho Santa Fe, CA 92067  
(760)751-7027

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Kraig R. Kast, *pro se*  
12155 Vista Terraza Court  
Valley Center, CA 92082